

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

WAYNE MURDOCK,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV 11-427-FHS-KEW
)	
TERRY MARTIN, Warden,)	
)	
Respondent.)	

OPINION AND ORDER

Petitioner has filed a Motion for Compulsion of All Filing Fees, asking the court to compel the release of \$5.00 for his district court filing fee and \$455.00 for his appellate filing fee [Docket No. 13]. The record indicates the \$5.00 district court fee was paid to the Northern District of Oklahoma on November 18, 2011 [Docket No. 4]. On March 23, 2012, plaintiff returned the court's blank form for proceeding *in forma pauperis* on appeal, claiming the Department of Corrections trust fund accountant has not responded to his request for completion of the required six-month accounting statement [Docket No. 15]. Plaintiff has not alleged he lacks the funds to pay the appellate filing fee, but suggests the court compel release of his funds from the trust fund officials. The court, however, must have a properly completed motion for leave to proceed on appeal *in forma pauperis* or the entire appellate filing fee.

ACCORDINGLY, petitioner's motion for compulsion of all filing fees [Docket No. 13] is **DENIED**, and he is directed to pay the \$455.00 appellate filing fee or to submit a properly completed motion for leave to proceed *in forma pauperis* on appeal with a

completed six-month accounting statement within twenty (20) days. The Court Clerk is directed to send petitioner the proper forms to apply for leave to proceed *in forma pauperis* on appeal.

IT IS SO ORDERED this 20th day of April, 2012.



Frank H. Seay
United States District Judge